

AMENDED IN SENATE FEBRUARY 18, 1997

**Senate Concurrent Resolution**

**No. 16**

**Introduced by Senator Polanco**

February 6, 1997

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Senate Concurrent Resolution No. 16—Relative to the Joint Legislative Committee on Prison Construction and Operations.

LEGISLATIVE COUNSEL'S DIGEST

SCR 16, as amended, Polanco. Joint Legislative Committee on Prison Construction and Operations.

This measure would reestablish *until June 30, 1998*, the Joint Legislative Committee on Prison Construction and Operations, to have primary responsibility for providing legislative scrutiny over prison construction and operations.

Fiscal committee: no.

1 WHEREAS, Public safety is a primary function and  
2 consideration of government. As evidenced by the  
3 overwhelming support for Proposition 184, the “Three  
4 Strikes Initiative” on the November 8, 1994, ballot, the  
5 people of the State of California are demanding that  
6 violent, serious, and repeat felons be incarcerated with  
7 longer sentences; and

8 WHEREAS, As a result of the passage of Proposition 184  
9 and the recent enactment of other laws, the inmate  
10 population of the state prison system is projected to  
11 increase by unprecedented numbers. Upon completion  
12 of current authorized new prison construction projects,

1 the Department of Corrections will be operating 34 state  
2 adult correctional facilities. In addition, the Department  
3 of the Youth Authority currently operates 11 state youth  
4 correctional facilities; and

5 WHEREAS, As evidenced by the recent defeat of  
6 Proposition 205, the “Youthful and Adult Offender Local  
7 Facilities Bond Act of 1996” on the November 5, 1996,  
8 ballot, the people of the State of California are unwilling  
9 to support financially the expansion of correctional  
10 facilities. Californians are demanding greater fiscal  
11 accountability for the operation of correctional facilities;  
12 and

13 WHEREAS, The most recent five-year facilities master  
14 plan by the Department of Corrections identifies a need  
15 for six new state prisons and one inmate conservation  
16 camp with the capacity to house approximately 27,600  
17 additional felons. The total cost for these proposed  
18 projects is approximately one billion seven hundred  
19 million dollars (\$1,700,000,000). This amount does not  
20 include the financing costs, which would roughly double  
21 the total final cost; and

22 WHEREAS, Controlling the rapid growth of  
23 corrections construction and operations costs is one of the  
24 greatest challenges facing this state. The total proposed  
25 budget for the Department of Corrections for the 1997–98  
26 fiscal year is approximately three billion eight hundred  
27 million dollars (\$3,800,000,000); and

28 WHEREAS, Although the Legislature first created the  
29 Joint Committee on Prison Construction and Operations  
30 by statute in 1982, and has reauthorized the committee  
31 several times, the committee was statutorily repealed on  
32 January 1, 1995. As of that date, the Senate created the  
33 Criminal Procedure Subcommittee on Prison  
34 Construction and Operations to continue to provide  
35 specific legislative oversight; and

36 WHEREAS, Section 7003 of the Penal Code requires  
37 the Department of Corrections to provide the Joint  
38 Legislative Committee on Prison Construction and  
39 Operations with the new prison site plans, project  
40 planning guide, and preliminary staffing ratios at least 30



1 days prior to submission of those plans to the State Public  
2 Works Board. Similarly, Section 7003.5 of the Penal Code  
3 requires the department to report to that committee  
4 biannually on areas being considered for new prison sites,  
5 the size of each facility planned, financing, and how each  
6 proposed site fits into the department's overall master  
7 plan; and

8 WHEREAS, In order to provide for joint legislative  
9 oversight of the state's fastest growing segment of  
10 government, and to ensure a sense of fiscal responsibility  
11 to the people of California, it is vital that the Legislature  
12 permanently reestablish the Joint Legislative Committee  
13 on Prison Construction and Operations; now, therefore,  
14 be it

15 *Resolved by the Senate of the State of California, the*  
16 *Assembly thereof concurring,* That the Joint Legislative  
17 Committee on Prison Construction and Operations is  
18 hereby created. The committee shall assume primary  
19 responsibility for providing legislative scrutiny over  
20 prison construction and operations; and be it further

21 *Resolved,* That the committee shall also investigate and  
22 make recommendations on inmate population  
23 management issues as they affect problems of  
24 overcrowding, recidivism, and successful return to  
25 society by inmates; and be it further

26 *Resolved,* That the committee shall consist of three  
27 Members of the Senate appointed by the Senate  
28 Committee on Rules, and three Members of the Assembly  
29 appointed by the Speaker of the Assembly. A Member of  
30 the Senate shall chair the committee. The chairperson  
31 shall appoint staff persons who shall be authorized to  
32 inspect prison facilities and departmental documents,  
33 except as otherwise provided by law; and be it further

34 *Resolved,* That the committee and its members shall  
35 have all of the rights, duties, and powers conferred upon  
36 investigating committees and their members by the Joint  
37 Rules of the Senate and Assembly as they are adopted and  
38 amended from time to time, which rules are incorporated  
39 herein and made applicable to this committee and its  
40 members; and be it further

1 RESOLVED, That the Senate Committee on Rules  
2 may make money available from the Senate Operating  
3 Fund as it deems necessary for the expenses of the Joint  
4 Legislative Committee on Prison Construction and  
5 Operations and its members. Any expenditure of money  
6 shall be made in compliance with policies set forth by the  
7 Senate Committee on Rules and shall be subject to the  
8 approval of the Senate Committee on Rules; and be it  
9 further

10 RESOLVED, That the Joint Legislative Committee on  
11 Prison Construction and Operations shall, within 15 days  
12 of authorization and consistent with the normal annual  
13 appropriations process for funding legislative  
14 committees, present its initial budget to the Senate  
15 Committee on Rules for its review, comment, and  
16 approval; and be it further

17 RESOLVED, That the Joint Legislative Committee on  
18 Prison Construction and Operations shall submit a report  
19 at the end of each legislative session to the Legislature on  
20 its activities; and be it further

21 RESOLVED, That the Joint Legislative Committee on  
22 Prison Construction and Operations is authorized to act  
23 until June 30, 1998, at which time the committee's  
24 existence shall terminate.

25 Resolved, That the Secretary of the Senate transmit a  
26 suitably prepared copy of this resolution to the author for  
27 appropriate distribution.

